

United States District Court

Middle District of Georgia

UNITED STATES OF AMERICA

Vs.

JUDGMENT IN A CRIMINAL CASE

(FOR REVOCATION OF PROBATION)

DONALD W. SMITH, JR.,

NO. 5: 03-M-12-06 (CWH)

Defendant

James Curtis Garner

Defendant's Attorney

The above-named defendant having on July 29, 2004, admitted to violating CONDITIONS OF PROBATION imposed upon him in the above-captioned proceeding on March 15, 2004, as alleged in the **PETITION FOR ACTION ON PROBATION** dated July 6, 2004, filed by Tony W. Elder, U. S. Probation Officer; disposition of said matter having been held in abeyance pursuant to the court's order of July 29, 2004; said sentence of probation is now **REVOKED**, and he is **RESENTENCED** as hereinafter set out, the court finding the following violations:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Occurred</u>
<u>1</u>	Possession and Use of Cocaine	3/16/04 and 3/30/04
<u>2</u>	Failing to Pay Court-ordered Fine	Continuing to 7/29/04

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment (if any) are fully paid.

Defendant's Soc. Sec. No.: ***-**-1622

July 29, 2005

Date of Imposition of Judgment

Defendant's Date of Birth: 1984

Defendant's USM No.: 91927-020



Signature of Judicial Officer

Defendant's Residence Address:

1257 Moody Altman Road
Baxley, Georgia 31513

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE

Name and Title of Judicial Officer

Defendant's Mailing Address: Same

July 29, 2005

Date

IMPRISONMENT

The court finds that the conditions of probation have been violated as outlined the **PETITION FOR ACTION ON PROBATION** dated July 6, 2004. The court further finds that the defendant has been given every opportunity to comply with conditions of supervision and that he has continued to violate conditions even after his period of probation was extended when disposition was held in abeyance a year ago. The defendant simply refuses to abide by the rules imposed upon him and gives no indication that he would change his ways if he were to be continued under probation supervision. Accordingly, the defendant's probation is **REVOKED**, and he is hereby committed to the **CUSTODY** of the UNITED STATES BUREAU OF PRISONS to be imprisoned for a period of **FOUR (4) MONTHS**.

☐ The court makes the following recommendation to the BUREAU OF PRISONS:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ A.M./P.M. on _____.

☐ as notified by the United States Marshal.

☐ as notified by the Probation/Pretrial Services Office.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2:00 P.M. on _____.

☐ as notified by the United States Marshal.

☐ as notified by the Probation/Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
 at _____, with a certified copy of this judgment.

 DEPUTY UNITED STATES MARSHAL